

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ALFONSO CIOLINO,

Plaintiff,

v.

AARON EASTMAN, DAVID EARLE, and  
GEORGE GIKAS,

Defendants.

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Civil Action No. 13-cv-13300-ADB

**VERDICT FORM**

**QUESTION 1:**

- a. Has Plaintiff proved, by a preponderance of the evidence, that any of the defendants violated his Fourth Amendment right to be free from excessive force?

Defendant Aaron Eastman: Check one: Yes \_\_\_\_\_ No ✓

Defendant David Earle: Check one: Yes \_\_\_\_\_ No ✓

Defendant George Gikas: Check one: Yes ✓ No \_\_\_\_\_

**If you answered "yes" as to any of the defendants in question 1(a), please go on to address those defendants in question 1(b). If you answered "no" as to all defendants in question 1(a), please move directly to question 2.**

- b. Did any of the defendants' unconstitutional actions described in question 1(a) proximately cause any injury or harm to Plaintiff?

Defendant Aaron Eastman: Check one: Yes \_\_\_\_\_ No ✓

Defendant David Earle: Check one: Yes \_\_\_\_\_ No ✓

Defendant George Gikas: Check one: Yes ✓ No \_\_\_\_\_

**If you answered "yes" as to any of the defendants in question 1(b), please go on to question 1(c). If you answered "no" as to all defendants in question 1(b), please move directly to question 2.**

- c. What amount of money will fairly and adequately compensate Plaintiff for any injuries proximately caused by the defendants' actions described in question 1(a)?

one hundred forty thousand dollars  
(write in words)

\$ 140,000.00/xx  
(write in numbers)

- d. If you awarded Plaintiff compensatory damages in Question 1(c), is the Plaintiff entitled to prejudgment interest on those damages?

Check one: Yes \_\_\_\_\_ No ✓

## QUESTION 2

- a. Has Plaintiff proved, by a preponderance of the evidence, that any of the Defendants are liable for malicious prosecution?

Defendant Aaron Eastman: Check one: Yes \_\_\_\_\_ No ✓

Defendant David Earle: Check one: Yes \_\_\_\_\_ No ✓

Defendant George Gikas: Check one: Yes \_\_\_\_\_ No ✓

**If you answered "yes" as to any of the defendants in question 2(a), please go on to address those defendants in question 2(b). If you answered "no" as to all defendants in question 2(a), please move directly to question 3.**

- b. Did any of the defendants' unlawful actions described in question 2(a) proximately cause any injury or harm to Plaintiff?

Defendant Aaron Eastman: Check one: Yes \_\_\_\_\_ No \_\_\_\_\_

Defendant David Earle: Check one: Yes \_\_\_\_\_ No \_\_\_\_\_

Defendant George Gikas: Check one: Yes \_\_\_\_\_ No \_\_\_\_\_

**If you answered "yes" as to any of the defendants in question 2(b), please go on to question 2(c). If you answered "no" as to all defendants in question 2(b), please go on to question 3.**

- c. What amount of money will fairly and adequately compensate Plaintiff for any injuries proximately caused by the defendants' actions described in question 2(a)?

\_\_\_\_\_  
(write in words)

\$ \_\_\_\_\_  
(write in numbers)

**QUESTION 3:** If you found (in Question 1(a)) that any of the Defendants violated Mr. Ciolino's Fourth Amendment right to be free from excessive force, please answer the following additional questions. If you answered "no" as to all Defendants in Question 1(a), your deliberations are now complete. Please skip the remainder of these questions.

- a. Did Mr. Ciolino fail to comply with any orders from law enforcement officers immediately prior to his arrest?

Check one: Yes ☒ No ☐

- b. Did the Defendants have probable cause to arrest Mr. Ciolino on the night in question?

Check one: Yes ☒ No ☐

- c. Was Mr. Ciolino taunting or inciting any of the K9 dogs immediately prior to his arrest?

Check one: Yes ☒ No ☐

- d. Was Mr. Ciolino inciting the surrounding crowd immediately prior to his arrest?

Check one: Yes ☐ No ☐

January 25, 2016  
Date

Judith Cole  
Foreperson